

REMARKS

Claims 1-18 are pending in this application. By this Amendment, claims 1-4, 7, 9, 13 and 15 are amended. Claim 18 is added. The claim amendments and added claim introduce no new matter as they are supported by the disclosure at least at paragraphs [0038] - [0043], and Fig. 3, as originally filed. Applicants undertake these amendments to enhance clarity of the recited claim language. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Hwu in the June 7, 2005 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

The Office Action, in paragraph 3, indicates that claims 4-8, 10-12 and 14-17 contain allowable subject matter. Applicants appreciate this indication of allowability, but submit that at least independent claim 1, from which these claims directly or indirectly depend, is allowable for at least the reasons indicated below.

The Office Action, in paragraph 2, rejects claims 1-3, 9 and 13 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,219,154 to Luscomb. This rejection is respectfully traversed.

Claim 1 recites, among other features, a displacement amplification chamber that amplifies an amount of displacement of the actuator, and a replenishment fuel passage that places the low pressure fuel passage and the displacement amplification chamber in communication and has a check valve which allows fuel to flow only toward the displacement amplification chamber wherein the replenishment fuel passage has an extraneous matter separator. One example of an extraneous matter separator is shown at elements 18, 16c' and S in Fig. 3. In the configuration depicted in the exemplary embodiment in Fig. 3, with an extraneous matter separator being provided upstream of the check valve, the

structure aids in preventing extraneous matter from entering the check valve and hindering operation of the check valve (see, e.g. paragraph [0045] of the specification).

Luscomb teaches a fuel passage 54/71 with a check valve 72 through which fuel is delivered to the metering chamber 50 where the fuel is pressurized for injection (see generally col. 10, lines 10-21, and Figs. 9 and 10). There is nothing in Luscomb to indicate or imply that the branch conduit 71 has any capability of functioning as an extraneous matter separator.

For at least this reason, Applicants respectfully submit that Luscomb cannot reasonably be read to teach, or even to have suggested, the combination of all of the features recited in at least independent claim 1. Further, Luscomb cannot reasonably be read to have anticipated, or to have suggested, the combinations of all of the features recited in dependent claims 2, 3, 9 and 13 for at least the respective dependence of these claims directly or indirectly on independent claim 1.

The feature of the "extraneous matter separator being provided upstream of the check valve" has been added to better define over a reference EP 0 816 670 A1 to Hayes cited in counterpart European Application No. 03 017 975.8.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-3, 9 and 13 under 35 U.S.C. §102(b) as being anticipated by Luscomb are respectfully requested.

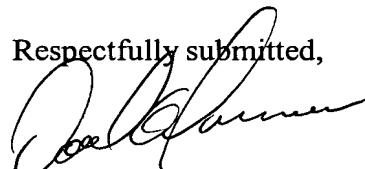
New dependent claim 18 is allowable for at least its dependence on claim 1. Furthermore, Luscomb does not disclose a throttle portion. With reference, for example, to Fig. 7 and the description of the function outlined above, the branch conduit 71 appears to be, if at all, narrower in only one direction, that is, narrower than the space where the check valve 72 is provided. This relationship is, however, only indicated in the single sectional view of Figs. 7 and 8 and it is not clear if the branch conduit 71 is also narrower in an opposing direction. As such, Applicants respectfully submit that neither the specification nor the

drawings indicate or imply that the branch conduit 71 has a sectional area profile that would be fundamentally necessary in order for the branch conduit 71 to serve as a throttle.

The above claim amendments and arguments were presented to Examiner Hwu during the June 7 personal interview. The Examiner indicated that the argument appears to overcome the prior art rejections of the Office Action.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3, 9, 13 and 18, in addition to the indicated allowable subject matter of claims 4-8, 10-12 and 14-17, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,

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Date: June 20, 2005

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